

GLADSTONE CITY COUNCIL MEETING MINUTES OF JULY 12, 2022

Meeting was called to order at 6:30 P.M. – (Via Zoom and In Person)

ROLL CALL:

Mayor Tammy Stempel, Councilor Ripley, Councilor Alexander, Councilor Tracy, Councilor Todd, Councilor Hartman, Councilor Garlington

ABSENT:

STAFF:

Jacque Betz, City Administrator; Darren Caniparoli, Public Works Director; John Schmerber, Police Chief; Cathy Brucker, Finance Consultant; Ashley Driscoll, City Attorney; Tami Bannick, City Recorder

Mayor Stempel called the meeting to order and explained that the City is abiding by guidelines set forth in House Bill 2560, which requires that they make all meetings accessible remotely, through technologic means and provide the opportunity for the public to participate to the best of their ability. This meeting will be open to the public, both in person and virtually, using the Zoom platform. The Council members and staff will be in person, as well as those citizens who wish to attend in person. She went over the procedures that will be followed for the meeting and the meeting agenda.

AGENDA ADDITIONS OR CORRECTIONS:

None.

CONSENT AGENDA:

1. Approval of June 14, 2022 Regular Meeting Minutes
2. Approval of May Bank Balances
3. Budget Report for Period ending 5-31-2022
4. Approval of May Check Register
5. Legal Costs on Projects
6. Department Head Monthly Reports for June 2022
7. Consider approval of a contract for the 2022 Gladstone Street Pavement Repair Project to K&L Industries in the amount of \$654,552.00

Councilor Tracy made a motion to approve the Consent Agenda. Motion was seconded by Councilors Alexander and Hartman. Ms. Bannick took a roll call vote: Councilor Alexander – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Garlington – yes. Councilor Ripley – yes. Mayor Stempel – yes. Motion approved with a unanimous vote.

REPORT FROM CLACKAMAS FIRE DISTRICT #1:

Chief Browne said it's been a busy month. The transition has been going well. They have completed the inventory. There was some excess equipment, such as radios, which will be returned to Gladstone to be put to use here. The remodel project is just starting, so they will be occupying the old Fire office across the street during that project. He has been participating in the Department Head meetings. He went over the events the Fire crews attended/participated in. Clackamas Fire received a \$35,000 grant from the State Fire Marshal's Office for wildfire staffing (overtime). It allows them to upstaff additional personnel on red flag days/extreme fire danger days. Whatever funds remain after the grant period – the State decides whether to ask for the funds back, to repurpose the funds, or extend the timeline for those funds. He shared information regarding the state-wide Wildland Urban Interface Map and the Western Fire Chief's Association fire map – both are good sources of information and are available to the public. He went over

their system for mutual aid assistance related to wildfires/task forces. The staffing levels stay consistent in the areas/cities they serve.

CORRESPONDENCE:

None.

Mayor Stempel said for those members of the public who wished to speak the deadline for accepting comments was noon today. They allow three minutes for public comment unless there are special circumstances and additional time has been approved beforehand by staff.

She said a few words about the role of the City Council. She feels it is important for everyone to understand their limitations: they represent the citizens of Gladstone and not their own personal agendas and beliefs. There have been many times when a decision being made doesn't align with what they would like personally but have made a decision based on what is based on the City as a whole. That doesn't mean that their personal beliefs have changed; just that they listened and acted accordingly. There are laws and rules they have to use as the basis of their decisions. They do not have the luxury of randomly making decisions, but instead they have to be consistent and take the path that is defensible. They appreciate everyone's time in participating in this process. Her goal is to keep the meeting respectful and engaging and she hopes everyone will help her do that.

REGULAR AGENDA

8. PUBLIC HEARING – RESOLUTION 1210 – A RESOLUTION UPDATING THE MASTER FEE SCHEDULE:

This includes pass-through increases for Water Environmental Services (WES), Oak Lodge Water Services, and North Clackamas County Water Commission (NCCWC), and system development charges (SDC's) and updated low-income utility assistance programs. Ms. Brucker went over the staff report. If this is approved the rates will go into effect on the July utility bills.

PUBLIC COMMENTS:

None.

Councilor Garlington made a motion to approve Resolution No. 1210, a Resolution repealing the Master Fee Schedule adopted under Resolution No. 1208 and adopting a new Master Fee Schedule. Motion was seconded by Councilor Hartman. Ms. Bannick took a roll call vote: Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – yes. Councilor Garlington – yes. Councilor Todd – yes. Councilor Hartman – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

9. AMENDMENT TO LIBRARY CONSTRUCTION AND OPERATION INTERGOVERNMENTAL AGREEMENT (IGA):

City Attorney Ashley Driscoll went over the background. The IGA was entered into in November 2019 between the City of Gladstone and Clackamas County for the construction of a 6,000 square foot library in the City of Gladstone in exchange for the City dispensing a lawsuit and agreeing to provide the County all Gladstone Library Service Area district tax revenue, plus \$200,000 per year for operations. The County has used up all six time extensions for construction – they have asked the City to consider a one-year extension/pause in order to address some issues. The original cost estimate for the Gladstone Library was \$4.9 million. Because of pandemic-related delays and inflationary impacts, the new estimate is now near \$8.6 million. The County is hoping that within this year-long pause some of the pandemic impacts will begin to alleviate. This has been discussed

during executive session. In this amendment the City is agreeing to a 12-month pause in the construction timeline, the County is committing to demolishing the former City Hall site by November 1, 2022, putting up a sign that reads “Future Site Of The Gladstone City Library”, and the County agreed to update its estimate at nine months from execution of this amendment. If the cost estimate at that time is \$7 million or less, the County will resume the construction timeline. The County Board of Commissioners has approved this. The City Attorney’s Office recommends that the City Council approve this amendment.

Councilor Ripley asked what prevents them from doing it again and again. He doesn’t trust them. Ms. Driscoll said there is a clause in the original IGA where either party can terminate and pay the price – if the County terminates, the City would receive \$360,000 toward construction of a new library, but would face many of same challenges that the County has.

Councilor Alexander asked what happens if the cost estimate is more than \$7 million after nine months. Ms. Driscoll said if, during the course of the year, the correction happens quicker and at the nine-month mark they get a new cost estimate that shows it’s under \$7 million, they would immediately begin resuming the timeline. Even if it is above \$7.5 million they would still be obligated to start at the 12-month mark.

Councilor Tracy thinks they all need to acknowledge that there will be an undeveloped piece of property in the middle of town.

Councilor Hartman asked if they can negotiate whether they give the County the tax revenue they are currently giving them or the \$200,000/per year because of this pause. Ms. Driscoll said those are significant parts of the negotiation of the primary IGA. She feels that making changes to those “gives” would not be well received by the County. If Gladstone terminates the agreement it would receive the operations/employees/revenue but wouldn’t have the \$8 million to build a new library. Councilor Todd wanted to clarify that if the City decided to build its own library it would involve going out for a bond and property taxes being increased. She asked if there was any way to pare down the costs – they have already looked at that and done everything they can to cut costs. Councilor Garlington asked who looks at the cost estimate – Ms. Betz said the County has control of the project and they have been a really good partner and want this project to move forward. She is confident that they will do everything they can to move this project forward. Councilor Garlington asked if they would lose any of the ARPA funds if they extend this timeline – Ms. Betz said the County’s funds are secured.

Ms. Betz said the City has to split the cost of demolition with the County – she would rather get it done sooner because the costs go up the longer they wait. She feels they need to get started now in order to get through the abatement.

Councilor Hartman made a motion to approve Amendment #1 to the Library Construction and Operation Intergovernmental Agreement (IGA) between Clackamas County and the City of Gladstone. Motion was seconded by Councilor Garlington. Ms. Bannick took a roll call vote: Councilor Hartman – yes. Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – yes. Councilor Garlington – yes. Councilor Todd – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

10. GLADSTONE POLICE DEPARTMENT BODY WORN CAMERAS (BWC’s):

Chief Schmerber went over the staff report. Agencies all over the state are moving to BWC’s. They want transparency. Cameras will provide evidence of events, behaviors, and hopefully minimize confrontations knowing that there are cameras. It’s an important tool. They assessed

three types of cameras – Motorola Solutions would be their recommendation. All uniformed officers would be wearing the cameras, and with Code Enforcement and Detectives under certain circumstances. A draft policy has already been developed. The City would own the equipment and there is a five-year subscription fee. All upgrades are free and there is a five-year no-fault warranty on all the equipment. They furnish new cameras after three years. Years one and two will be paid through ARPA funding. Years 3 – 5 will be built into the Police Department’s budget cycles.

Councilor Alexander feels this is something tangible that the public can see. It protects the public and the officers.

Councilor Tracy asked who controls the data – Chief Schmerber said once the data is uploaded it can’t be tampered with.

Councilor Hartman asked if Motorola offers security software that is aware if someone is hacking into the system – Chief Schmerber said yes.

Councilor Todd asked if this is for 20 cameras – yes.

Councilor Garlington asked if after five years they decide to go with another brand do they own the data – yes. There was further discussion regarding the warranty/equipment. Ms. Betz said this comes before City Council as a five-year package because it exceeds her spending authority. They want the community to understand the five-year package they are entering into for this equipment.

Councilor Alexander made a motion approve the purchase of 20 Motorola body worn cameras to include the subscription fees. Motion was seconded by Councilor Todd. Ms. Bannick took a roll call vote: Councilor Todd – yes. Councilor Garlington – yes. Councilor Ripley – yes. Councilor Alexander – yes. Councilor Tracy – yes. Councilor Hartman – yes. Mayor Stempel – yes. Motion passed with a unanimous vote.

11. PSILOCYBIN REGULATIONS IN GLADSTONE:

Mayor Stempel explained that this is to consider directing staff to prepare an ordinance declaring a ban on psilocybin service centers and the manufacture of psilocybin products in Gladstone and refer the question to the voters in the November election. Ms. Betz said this has already been approved by the State – they are in the process of licensing them. The Oregon Health Authority has begun the rulemaking process. This is a process issue as to whether they want to ban these in Gladstone. They went through a similar process when marijuana was legalized. These facilities cannot be located within 1,000 feet of a school or in a residential or commercial zone. Staff is asking for input on whether they want them to bring back an ordinance next month that refers this to the November ballot or wait until after the Oregon Health Authority has put their licensing and rulemaking into place and consider it on the November 2024 ballot. If they want to ban it now they need to have the ordinance in place next month.

Mayor Stempel asked Chief Schmerber if they have had any issues with the marijuana dispensaries – not to his knowledge. Ms. Betz said these would not generate any revenue for the City. Councilor Ripley thinks waiting would be the best idea.

Councilor Alexander agreed to wait until they have more information.

Councilor Tracy also agreed.

Councilor Hartman said these facilities aren't run the same way as marijuana dispensaries. She said over the next three days the County and State are having information sessions on Zoom. She agreed to wait.

Councilor Todd asked about the zoning regulations – Ms. Betz said they don't have that information yet. Councilor Todd feels they don't have enough information to put this on the ballot. Councilor Garlington asked if other jurisdictions have already jumped on this – Ms. Driscoll did not have an answer for that. Councilor Garlington agreed to give it time and see what happens. Mayor Stempel agreed to wait as well. She asked if they wait two years will this go through the Planning Commission like marijuana dispensaries did or if it would be a different process – Ms. Betz said it would probably be a design land use application. Ms. Driscoll said at any time they can implement time, place, and manner regulations and that would go through the land use process.

12. APPOINTMENT TO THE TRAFFIC SAFETY COMMISSION:

They have three vacancies now. This application is from Alexandra Hernandez. This would be for a term that expires 12/31/2024.

Ms. Betz took a roll call vote: Councilor Garlington – yes. Councilor Todd – yes. Councilor Hartman – yes. Councilor Tracy – yes. Councilor Alexander – yes. Councilor Ripley – yes. Mayor Stempel – yes. Alexandra Hernandez has been appointed with a unanimous vote.

BUSINESS CARRIED FORWARD:

Ms. Betz said in the packets they put a tentative outline of trying to align two-year work plans with the committees, commissions, and boards to align that with the City Council goal setting process in the next biennium budget.

BUSINESS FROM THE AUDIENCE:

None.

BUSINESS FROM THE COUNCIL:

Councilor Tracy:

He said the water plant is in great shape, they've got budgets together pretty tight, reserves are good, water outlook looks really good, the river was up high, they are doing a sand filter replacement and some R&R on the plants, and so far things have been really good this year. He commends the new staff, the general manager, and everyone who runs the plant.

Councilor Hartman:

She said it's amazing to see the splash pad open at Max Patterson Park and seeing everyone enjoying themselves.

Councilor Todd:

She hopes everyone will attend the Community Festival coming up the first weekend in August. There will be a Friday movie at the park, the parade on Saturday, and a car show on Sunday. If you want to be involved, let her know.

Councilor Garlington:

She thanked the Police and Fire Departments for putting on a fabulous Fourth of July picnic – there were a lot of people there. It was great to see people coming specifically for the picnic.

Mayor Stempel:

She said the Food Pantry is open from 3-6 on Thursdays at the Hillside Christian Fellowship Church off Glen Echo – located in the back portable buildings. The number of families and homebound seniors they are serving is growing every week and growing in leaps and bounds. They are still looking for volunteers and donations (especially pasta, spaghetti sauce, cereal, and snacks). If anyone wants to drop off food she is there with the prep crew on Wednesdays from 2 – 3:30 P.M. She wanted to thank the people at Hillside Christian Fellowship Church – they don’t charge them anything.

She attended the GEMS meeting – they discussed the Senior Center/Resource Center that will be in place in case of emergencies. They went over the basic roles of elected officials and what the hierarchy looks like during an incident. They need to get more people signed up for Flashpoint so the information gets pushed out. They will have a booth at the Community Festival in order to sign people up.

The Historical Society meeting started with the historian’s report and a book she discovered called “1947 Historic Homes of Clackamas County”. There are 30 houses highlighted. They received brochures for the first and second annual Gladstone Fourth of July picnic from the Gladstone Mercantile. They have a historic calendar for sale as a fundraiser and they will be available at the Community Festival.

Clackamas County Coordinating Committee (C4) is focusing on the State Highway Plan and tolling. They are crafting a letter asking for a 60-day extension on public comment because they don’t feel that they listened to the public comments that they received.

The Parks and Rec Board met last night and went over the preferred conceptual plan for Meldrum Bar Park. The outstanding issue was where to put the off-leash dog park – they decided to put it in the open area on the left at the top of the hill. The most popular items wanted per the survey were an event space, dog park, and paths/walkways. They also discussed standardizing amenities at the parks (benches, picnic tables, garbage receptacles).

Mayor Stempel asked for a motion to adjourn the meeting.


ADJOURN:

Councilor Garlington made a motion to adjourn the meeting. Motion was seconded by Councilor Alexander. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Alexander – yes. Councilor Tracy – yes. Councilor Hartman – yes. Councilor Todd – yes. Councilor Garlington – yes. Mayor Stempel – yes. Motion passed unanimously.

Meeting was adjourned at 7:55 P.M.

Approved by the Mayor this 9th day of AUGUST, 2022.

ATTEST:



Tamara Stempel, Mayor



Tami Bannick, City Recorder